

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

DAVID LEE DANIELS

PLAINTIFF

v.

Civil No. 06-5104

JAY SAXTON, Chief Public Defender;
BROOK LOCKHART, Public Defender;
and the BENTON COUNTY PUBLIC
DEFENDER'S OFFICE

DEFENDANTS

O R D E R

Now on this 21st day of August, 2006, comes on for consideration the **Magistrate Judge's Report and Recommendation** (document #7), in this matter, to which no objections have been filed, and the Court, having carefully reviewed said Report and Recommendation, finds that it is sound in all respects, and that it should be adopted *in toto*.

IT IS THEREFORE ORDERED that the **Magistrate Judge's Report and Recommendation is adopted in toto**.

IT IS FURTHER ORDERED that, for the reasons stated in the Magistrate Judge's Report and Recommendation, plaintiff's Complaint is hereby **dismissed**.

IT IS SO ORDERED.

/s/Jimm Larry Hendren
HON. JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE